

**CITY OF ISSAQUAH  
DEVELOPMENT SERVICES DEPARTMENT  
ADMINISTRATIVE REVIEW**

**NOTICE OF DECISION**

**TO:** Jim Merrill Design, Inc.  
Jim Merrill  
485 Rainier Blvd North, Suite 202  
Issaquah, WA 98027

Cougar Mountain Zoo  
Zoological Society of Washington  
19525 SE 54<sup>th</sup> Street  
Issaquah, WA 98027

**SUBJECT:** Cougar Mountain Zoo: Lemur Cage

**APPLICATION:** ASDP13-00010 (Administrative Site Development Permit)

**REFERENCE PERMITS:** Building Permit: BLD13-00212  
Public Works Permit: PUB13-00156

**DATE OF DECISION:** November 22, 2013

**REQUEST:** An Administrative Site Development Permit application has been submitted by Merrill Design, Inc., requesting approval to allow for the construction of a new lemur cage that will provide both indoor and outdoor space to improve animal safety, hygiene and living conditions. Viewing of the animals will be outside the entire structure. The cage is not located in the portion of the zoo that is typically open to the public, therefore, visitor viewing will be limited to groups accompanied by a zoo keeper. The animals will all be secured inside the building at night. There are 4 other lemur habitats at other areas of the zoo, one will remain and the other 3 will be demolished due to old age. The new building will replace the existing adjacent building that has lemurs for over 7 years. The outdoor area of the cage building will face north projecting sound away from the adjacent neighborhood.

The dimensions of the lemur cage building is 85'- 4" by 30'-8" (2,617 sq. ft.) and the building is 12'-1" in height. A gravel path will be located on the northern, eastern and western sides of the building connecting to existing gravel paths. A covered walk on the south side of the cage will be for zoo keeper use only and will be gated at each end.

The building will not have any electrical, plumbing or

mechanical systems. Water supplied to the new lemur cage building will be by an existing facet located next to the old lemur building. There will not be any floor drains. The bedding will consist of wooden chips which are removed at intervals.

- LOCATION:** The project is located at 19525 SE 54<sup>th</sup> Street. See vicinity map, Exhibit 2.
- SUBAREA MAP:** The project is located with the "Montreux" subarea of the Issaquah Comprehensive Plan, as amended December 17, 2012.
- KING COUNTY PARCEL:** 192406-9102 (parcel where lemur cage is proposed)
- ZONING:** "SF-E" (Single Family Estates).  
Zoological Parks are an allowed use in the SF-E zone according to the Table of Permitted Land Uses, IMC 18.06.130.
- COMPREHENSIVE PLAN:** "Low Density Residential".
- SITE AREA:** 119,354 square feet (2.7acre) – Parcel 192406-9102  
447,645 square feet (10.3 acres) – total zoo site including Rittler house at southwest corner of zoo site.
- EXISTING LAND USE:** The property is currently developed as a zoo. Two older existing lemur cage buildings will be demolished and a lemur cage building currently by the new building will be retained for storage.
- Properties surrounding the subject site are developed with single family dwellings.
- DECISION MADE:** On November 22, 2013, the Development Services Department conditionally approved the Administrative Site Development Permit for the above proposal. Approval of this application is based on the submitted plans received on June 20, 2013, August 27, 2013, October 16, 2013, and November 1, 2013; Exhibits 1 through 25. The approval is subject to the following conditions:
1. Construction permits shall be issued prior to the start of construction of the lemur building (pending with applications BLD13-00212 and PUB13-00156. All conditions of those permits shall be complied with.
  2. Prior to landscaping the site, the soils in the landscaped areas shall be amended as required by the soils amendment section of the Landscape Code, IMC 18.12.140(Q).
  3. Any substitutions of landscaping materials shall be approved by the Development Services Department.
  4. A Plumbing Permit will be required if an underground irrigation system for the landscaping is installed.
  5. Prior to issuance of the Certificate of Occupancy/Final, a landscape maintenance cash

deposit or other acceptable security worth 50% of the value of the landscaped material, cost of labor, irrigation and materials shall be posted with the City for a period of three (3) years as required by the landscaping code, IMC chapter 18.12.160(A)(2). In addition, all landscaping shall be maintained in a safe, healthy and attractive manner, and kept free of weeds and litter, and the plant materials shall be maintained in a good growing condition in perpetuity.

#### **REASONS FOR DECISION: ADMINISTRATIVE SITE DEVELOPMENT PERMIT:**

1. The City of Issaquah Land Use Code authorizes the construction of new lemur cage building to be reviewed as a Level 2 Administrative Site Development Permit (ASDP). An application was received on June 20, 2013 and additional information was received thereafter.
2. The subject site is zoned "SF-E" (Single Family - Estates), according to the City's Zoning Map. This zone allows zoological parks as a permitted use in this zone.
3. The Comprehensive Plan Land Use Designation Map of this site (as amended December 17, 2012 by Ordinance 2656) is classified as "Low Density Residential" with a Subarea designation as "Montreux." The zoning of the site (SF-E) and the Comprehensive Plan are in compliance with each other. The surrounding neighborhood is mostly comprised of single family dwellings.
4. The site is not constrained by "Critical Areas" such as steep slopes, creeks and wetlands that are protected with buffers and setbacks. The site is mostly flat parcel that currently contains a number of zoo buildings for animals.
5. A Certificate of Transportation Concurrency was not required as the density/intensity of the property is not being increased. Lemur animals are be relocated within a new building. Older buildings will be demolished.
6. The new building for the lemur cages was determined not to require an environmental SEPA Checklist. The project is Exempt from the requirements of SEPA per WAC 197-800. Structures less than 4,000 square feet are exempt.
7. The development standards for the zoning of the property, "SF-E", are shown below, District Standards Table of the Land Use Code — IMC 18.07.360, and Parking, IMC18.09.050:

STANDARDS	REQUIRED OR ALLOWED	PROVIDED
<b>LOT AREA:</b>	35,000 sq. ft.	119,354 sq. ft. No change
<b>FRONT SETBACK (west):</b>	30 feet west	N/A
<b>REAR SETBACK (east):</b>	30 feet	97 feet
<b>SIDE SETBACK (south):</b>	15 feet	29 feet, 2 inches
<b>SIDE SETBACK (north):</b>	15 feet	N/A
<b>IMPERVIOUS AREA:</b>	30% maximum per lot. (35,806 sq. ft.)	16% proposed (19,300 sq. ft.)
<b>PERVIOUS AREA:</b>	70% minimum per lot.	84% proposed
<b>BUILDING HEIGHT:</b>	30 feet maximum.	12 feet 1 inch high
<b>PARKING:</b>	Not applicable	No change.

8. Parking. There is no additional parking required for the new lemur building that will replace other lemur buildings that will be demolished. Existing parking at the zoo will not be altered with this application.
9. Vehicular and pedestrian access to the zoo will remain as it currently exists from along the western side of the zoo site along SE 54<sup>th</sup> Street where the entrance is located.
10. Utilities: No change to existing utilities to serve the zoo. Compliance with the KCSWM, will receive final review with the Public Works Permit, PUB13-00156.
11. Building Design: The new lemur cage building will be designed in compliance with the Design Criteria Checklist (adopted by Ordinance No. 1983). The project meets the criteria of the Design Criteria of Appendix 2, of the Land Use Code as follows:

A) Site Layout & Overall Design Concepts:

1. *Building Location:* The project is comprised of a single new building to house lemur animals. The older lemur building to the immediate west will be maintained, but used instead for storage. The building will be setback approximately 29 feet from the south property line. Between the property line and the new building will be a new 10 foot wide landscaping buffer of evergreen shrubbery. An existing 10 feet high chain link security fence and an existing block wall with existing privacy fence above will be maintained.
2. *Energy Efficient Design:* Not applicable.
3. *Functional Site Design:* The design and layout of the lemur cage next to the older lemur cage building is acceptable for the site. The cage is a one-story low rise building.
4. *Lighting:* No lighting for the project is proposed.
5. *Natural Setting – Views:* No views of the City's natural setting will be compromised with the project. New Portugal laurel landscaping proposed along the south property line for an added buffer is not so tall growing that the hedge selected will impact adjacent neighbor's views.
6. *Existing Vegetation/Topography Features:* The property does not contain features that would inhibit the location and construction of the new lemur cage building. Where the building is proposed it is mostly cleared and flat terrain. The zoo property slopes downward in a northeastly direction. There is no substantial vegetation in this area to maintain. New landscaping will be introduced with the project.
7. *Historical/Cultural Landmarks:* Not applicable.

B) Landscape Design and Use of Plant Materials:

1. *Design Elements:* Landscaping for the project includes a new 10 foot wide evergreen buffer along the south property line that is comprised to be planted with

Portugal Laurel shrubs. 59 shrubs of 5-gallon size are proposed to be planted within the buffer with the shrubs staggered in a triangular fashion, approximately 60 inches on center. Existing security 10 foot high chain link fencing and existing foot high wood fencing will remain in place between the new building and the property line to the south. The single family subdivision to the south (Cougar Ridge) also has a 20 foot wide buffer greenbelt (designated as a Native Growth Protection Easement) along the northern portion of those lots in the cul-de-sac of SE 57<sup>th</sup> Place, although that buffer of trees and shrubs has not been fully maintained by the homeowners.

2. *Design Unity:* The project design uses design unity by repetitive use of Portugal laurel within the buffer. No other shrub or tree is selected for the landscaping buffer. Other existing landscaping on the zoo site will remain.
3. *Enhanced Design:* The new landscaping proposed is not used to strengthen vistas and focal points, planted in parkways, or in parking areas and traffic ways. The landscaping is simply for an added buffer between the lemur cage building and the residential neighborhood to the south.
4. *Usable Open Space Design:* Not applicable.
5. *Plant Materials:* The landscaping plan includes the use of Portugal laurel that will form an evergreen screen hedge and its desired height can be controlled. Noxious or destructive plant materials are not being used, and for safety plants that have weak trunks and branches and are prone to falling will not be used.

C) Design Harmony & Compatibility:

1. *Accessory Structures:* No accessory structures are proposed.
2. *Building Materials/Components:* The buildings will be constructed of CMU concrete and wood. A full description of the building materials to be used is included in section 14 below.
3. *Compatibility:* Uses around the site include single family houses. The zoo has been in place for 40 years and has proven to be compatible with the neighboring single family residential use.
4. *Design Components:* Design components, such as colors, modulation with building elevation of the building is acceptable. The building is a fairly simple design.
5. *Signage:* Not applicable.
6. *Transition:* The new lemur cage building will provide good transition with adjoining and permitted land uses. The adjoining uses closest to the zoo are to the south and to the east which are single family dwellings. The new zoo building is designed to comply with the allowable building setbacks and allowable pervious/impervious surface ratios for the SF-E zoning of the property as indicated in the Development Standards chart above.

7. *Projects with Multiple Structures*: The project only includes a single building. Other buildings on the zoo site will be demolished.

D) Pedestrian and Vehicular Areas:

1. *Barrier-Free*: The circulation with the zoo is not being altered with the new lemur cage building being constructed to the adjacent older lemur cage building. A new 8-foot wide gravel path will be constructed on the north side of the building connecting to the existing gravel drive to the west.
2. *Circulation/Trail Access*: Trail access is not applicable to the project other than the existing walkways and paths already existing within the zoo property.
3. *Design – Parking Areas*: Not applicable. No changes proposed to parking.
4. *Public Access – Adjacent to Site*: Not applicable. No change to the public access to the zoo.
5. *Public Access – Adjacent within Site*: Not applicable. No change to public access within the zoo site.
6. *Trail Design*: Not applicable.
7. *Transition of Design Elements and Amenities*: The project will maintain a desirable transition in relation to the streetscape, adequate plantings, safe Nonmotorized movement and existing parking areas.

E) Service and Storage Areas:

1. *Screening – Service Yards and Outdoor Storage*: There is no new service yards or storage yards associated with the project.
2. *Screening – Mechanical Equipment*: Not applicable.
3. *Screening – Display Areas*: Not applicable.

F) CPTED (Crime Prevention through Environmental Design):

Landscaping and walkway will provide visitors proper circulation in the zoo property. The site is fenced for security and entrances to the zoo are not be changed with this proposal. The new landscaping is not creating blind spots and hiding spots that are detrimental to the operations at the zoo.

14. The lemur cage building is proposed to reflect the following building materials and colors as shown on the elevation drawing and as noted below.

- Roof: 5 lays of construction including:
  - Top of roof:
    - 1) Standing seam metal roofing
    - 2) 90 lb roofing membrane
    - 3) ¾ inch plywood
  - Ceiling:



- 4) ¾ inch plywood
- 5) ¾ inch fiber board

- Siding: 8" solid core concrete masonry block walls
- Typical doorway: Galvanized chain link fence with pipe frame
- Windows: Open

16. The project Planning application and plans were routed to all project reviewing departments and divisions, and their comments and concerns have been addressed in this Notice of Decision.
17. Additional conditions may be placed on the project based on the Building Permit application, file BLD13-00212 and Public Works Permit, file PUB13-00156.
18. Public Notification: Public notification to property owners within 300 feet of the subject site was required as part of the Level 2 Review –Administrative Site Development Permit. Notice of the project was mailed out to property owners on July 11, 2013 and July 26, 2013, and a comment period was established, ending on August 9, 2013. A public meeting was not required of a ASDP application. 9 letters (emails) of correspondence were received from citizens. The correspondence is entered as Exhibits 17-25. Copies of this Notice of Decision are provided to those who provided written comments or asked to be a party of record.

In summary, comments stated the following concerns and issues:

- ✓ Concern about smells.
- ✓ Concern of noise and soundproofing.
- ✓ Maintain proper setbacks or other place to locate building.
- ✓ Concern of existing unsightly building up against property line.
- ✓ History of howler monkey cages proposed in this area in the mid 1990's.
- ✓ Questions about existing vertical poles in this area.
- ✓ Expanded notification to property owners.
- ✓ Negative impact to house values.

Staff response:

Development Services Department (DSD) shared all letters received from surrounding property owners with the applicant and the zoo. DSD has also corresponded with the neighbors both in writing, on the phone and in individual meetings to discuss issues of concern. The applicant also followed up with additional documents of added information and answers to the concerns on August 27, 2013 and October 16, 2013 to address issues addressed by neighbors. Those documents were scanned and emailed to those neighbors who provided written comments by DSD.

According to the zoo officials, lemur animals are vegetarian and clean animals and do not smell. Lemur animals have been occupying an open front cage immediately next to the proposed building for over 7 years and the new cage building will continued to be maintained by zoo staff.

Zoo animals do vocalize. The news lemur cage has indoor space with facilitates securing the lemurs in at night and will help provide as a sound barrier. The existing collection of lemurs is not secured indoors at night. Sound barriers will be part of the construction of the new completely filled concrete CMU building (8 feet high) with added insulation in the roof

elements. Indoor areas will be secured with double doors to enhance sound damping. There is also an existing stone/wood sound absorbing buffer wall between the lemur cage and lots to the south to conceal most of the proposed cage.

The minimum setback required to the side property line is 15 feet and almost double that will be provided with the new building. In addition, a evergreen landscaping buffer will be planted within the side yard. The building will not be built up close to the property line as the existing building and the aesthetics will also be superior to the older building.

The questions regarding a howler monkey exhibit at the zoo in the 1990's were false as there never was a request for such a permit by the zoo, and therefore, no permit denied was by the City.

The existing metal poles that were questioned are part of the existing fence structure for support. The tall metal poses were also designed to hold Tree Swallow Nests. The zoo has 14 active nest boxes and the taller posts will support an additional 18 small nest boxes and protect swallows from predators.

There is no evidence that the lemur cage at the Cougar Mountain Zoo will have a negative impact on property values. The zoo has been in place prior to residential houses being developed around the zoo property.

**Time Limit of Approval:**

The final decision approving the Administrative Site Development Permit is valid for three years as specified by IMC 18.04.220-C-5

**EXHIBIT LIST:**

1. Administrative Site Development Permit application, ASDP13-00010, received 6-20-2013
2. Vicinity Map
3. Affidavit of Ownership/Agent Authority received 6-21-2013
4. Project Narrative, received 6-20-2013
5. Site Plan, sheet A0.1, received 6-20-2013
6. Partial Site Plan, sheet A1.1, received 6-20-2013
7. Survey Drawing, sheet 1 of 1, received 6-20-2013
8. Floor Plan, sheet A2.1, received 6-20-2013
9. Building Elevations, sheet A3.1, received 6-20-2013
10. Colored perspective drawing of proposed building, received 6-20-2013
11. Foundation Design Addendum by Geospectrum Consultants, Inc. received 6-20-2013
12. Response #1 of requested information from Cougar Mountain zoo, received 8-27-2013
13. Response #2 of requested information from Cougar Mountain zoo, received 10-16-2013
14. Site Plan – REVISED, sheet A0.1, received 10-30-2013
15. Aerial photos of project site (City records), taken in 2006 & 2012
16. Landscaping Plan, sheet A12.1, received 11-1-2013

**Correspondence received from surrounding property owners:**

17. Email from Nicholas Paget, received 7-15-2013
18. Email from Daniel & Linda Breard, received 7-23-2013
19. Email from Jonathan Mayner, received 7-24-2013
20. Email from David Gentsch, received 7-25-2013
21. Email #2 from David Gentsch, received 8-8-2013
22. Email #2 from Nicholas Paget, received 8-9-2013



- 23. Email from Dhana Parthiban, received 8-12-2013
- 24. Email from Amit and Tanvi Jain, received 8-20-2013
- 25. Email #3 from David Gentsch, received 9-24-2013

  
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Jerry Lind, Senior Planner

  
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Date

# VICINITY MAP

## Cougar Mountain Zoological Park

19525 SE 54<sup>th</sup> Street, Issaquah, WA

